tival dellest Asked if she saw any bottles or glasses in the room, she held up her hand and said dramatically, "As God is my judge, I saw nothing."

she had made a practice of steaming open the letters her daughters. May and steamed open letters from Twigg to both of them. Mrs. See, the youngest of the Elosser girls, declared she thought May was dead also. She corroborated the testimony of her parents:

Miss May Elosser testified that she had said everything seemed suddenly to once before, that being when she was the front.

Harlan B. Norris, an leight year-old mediately after the podies had been dishad been credited to him. He repeated, diate moment, however, that he saw both Twigg and Grace Elosser, after they had been found ocad, each grasping a glass, and that Dr. Brodrup had samoved these glasses.

of the dead or hardist, declared that lems and sympathizes with them, and cyanide of potassium was not used in they will get this year the legislation the Twigg orchards.

George H. Ask, of Keyser, W. Va., an had not known of Twigg's intended mar- Preservation of the Adirondacks, alarmed GIRL SHOT BY HART MAY LIVE Hudson Maxim, president of the Aeronautiriage to Miss Elosser, but that he had at this talk, are trying to get their views never seen him in a happier mood than on state ownership of water powers before when he left for Cumberland last Satur- the Governor. Other testimony showed that no receptacle had been found in which the fatal cyanide could have been brought into the Elosser home. It was also shown that ohemical examination this general subject. The Governor was proved both candy and chewing gum asked to-night if, in view of the wide- the hospital to-day, and the physicians said found in the house to be free from spread comment on this feature of his mescyanide or other poison. ...

TO DISCUSS SENATORSHIP

E. P. Wheeler Will Preside at Meeting of Democrats To-day. The meeting to discuss the question as to

who should be elected to the United States Senate to succeed Senator Depew, which has been arranged by a committee of which Sherman Montague Craiger is chairman, will be held in the bangaet room of sever is done will be for the benefit of the the Hotel Manhattan at 10:30 o'clock this morning. Although the idea is 30 discuss the question along broad lines, the committee and most of those who are to take election of Edward M. Shepard. Everett P. Wheeler is to preside, Among

those who are expected to speak and the topics assigned to them are as follows: Frederic W. Hinrichs, "The Senatorship, in Relation to the Struggle of the Democratic Party Against Undue Privilege at . Wash-Calvin Tomkins, 'Dock Commis-The Democratic Party and Efficient Administration"; R, R. Bowker, edi-tor of "The Publishers Weekly." The Relation of Candidates to Service, for the Public Good", John De Witt Warner, "The Leadership Which New York Should Supply in the War for Commercial Freedom," and Louis Windmüller, "Heve the Merchants an Interest in the Senatorship Con-

Several of those expected to speak will be out of town, but have sent messages that will be read.

atorship situation is in a transition stage.

William F. Sheehan, who has been the lessing carefully a stage of the lessing carefully and the less of the lessing carefully and the less of the leading candidate, seems to be losing cost of improvements. It omitted entirely ground, and Edward M. Shepard is gaining. cost of improvements. It omitted entirely reference to deriving any revenue for the side every day. There still remains the impression, however, that Charles F. Murphy is unalterably onposed to Mr.

Democratic members, of the Legislature the Senatorship que hore they return to Albany for Thirmany Although
John H. McCoor the White County leader, has given neutral tributes intimation of the stand that the property is to take, the report has been creating that a majority of the Kings County has fished as a majority of the Kings County has fished as a majority of the Kings County has fished as a majority of the Kings County has fished as a majority of the Kings County has been creating the state to pay for building the storage reservoirs had been paid off, at the end of the fifty-year term, the storage reservoirs had been paid off, at the end of the fifty-year term, the storage reservoirs had been paid off, at the end of the fifty-year term, the storage reservoirs had been paid off, at the end of the fifty-year term, the storage reservoirs had been paid off, at the end of the fifty-year term, the storage reservoirs had been paid off, at the end of the fifty-year term, the storage reservoirs had been paid off, at the end of the fifty-year term, the storage reservoirs should be turned over, virtually a gift, to the private interests which had been renting the waterpower developed. The state to pay for building the storage reservoirs should be turned over, virtually a gift, to the private interests which had been renting the waterpower developed. The state to pay for building the storage reservoirs had been paid off, at the fifty-year term, the storage reservoirs should be turned over, virtually a gift, to the private interests which had been renting the waterpower developed. of the Kings County legislators are for Mr. Shepard and that the object of the caucus will be to bind the others as well. *
There may be a change in this situation

before another tock, however, as Mr.

COMMUTES 111 SENTENCES White More Liberal than Other Governors in This Respect.

Albany, Jas. 6.-Eleven prisoners serving terms in state prisons for high crimes had their sentences commuted by Governor White during the closing days of his brief when they can show they have two-thirds These commutations were executive clemency extended to sevent; The lists were filed to-day with the Secretary of

of these commutations were from the use of intexteating liquors, ton, this condition George Davidson, of Brock-lyn, will be paroled on March 18 from a ten-year sentence, he began to serve three years ago for manslaughter, secondude-William Scanling, of Otsego, serying a life sentence for killing his wife in 1893, will be parbled in October. Harry Webber, of Schenectady, sentenced for life With all the private interests thus ac for murder, second degree, will be released

Governor White restored the right of franchise to the largest number of offenders for a similar period in the history of the state. Governor Hughes restored only annual message Governor Hughes exsixty-three persons to citizenship during pressed himself very strongly on this matthe three years and ten months he held ter, saying:

STORAGE PROBABLE

and said, "Charlie, Charlie, what have Power Interests and Conservationists May Wage War at Albany.

One of the Most Important Issues of the Legislative Session. [By Telegraph to The Tribune.]

Albany, Jan. 6.-Indications are that a bathed and dressed for a trip uptown battle royal will be fought this winter be- to charge me with misconduct with Mayor when, as she was about to put on her tween the water power interests and the hat, she heard her mother scream as conservationists over the question of state she discovered the dead bodies. She ownership of water power sites and comsaid there were as glasses in the parior. hensation to the state for power thus de-Describing her isness after helping carry veloped. Governor Dix's proposition to such jealousy doesn't warrant him to ather sister's body from the parlor, she abolish the State Water Supply Commisto the Forest, Fish and Game Department Two weeks ago Mayor Smith was made grow dark about here She haid fainted has brought the whole matter sharply to defendant in a suit whereby Gaul expects

She was closely questioned, and when is apparent from the fact that it is estimated that enough power can be developed at Bogota and he is a member of the thing, declared, "before God," that she on the Hudson River alone for light and church in which Mrs. Gaul sings. manufacturing purposes for all the cities she declared that nothing had been removed from the parlor that might in- small manufacturer or the householder dicate that her sister had committed would have an opportunity to buy his power as cheaply as the biggest competitor.
The importance of this subject, with the lad who had been extensively quoted as possibilities of revenue of millions of dolto what he saw in the Elosser parlor imoverestimated. It gives promise of being one of the big issues of the legislative covered, was put on the stand, but his session, overshadowing many of the other story varied materially from that which matters which seem to be of more imme-

Governor Dix himself will be a most im-This was in direct contradiction to Dr. swarming around the Capitol for many Brodrup's testimony that he saw no days. Word comes from the north country that up there the power interests are say-Vernon and Milard Twigg, brothers ing that Governor Dix knows their prob-Conservationists and representatives of bodies like the New York Board of Trade

Dix Confers with Osborne.

This morning the Governor had a long favor of state ownership and control of water powers.

"No, I don't want to say anything about that now," he answered. "Whatever plan is evolved on that subject will be in the interests of the general public."

3"Will it provide for state ownership of

the power sites and compensation to the state for power produced?" was asked. "I can't discuss that," said the Gov-"I am looking at this from the point of view of the taxpayer, and what-

Long Term Leases Greatly Desired. Was Unable to Get Usual Assistance Long term leases are greatly desired by the power interests. In other years they have been opposed citterly by the Board of Trade and Transportation and the Society assets of the Washington-Alaska Bank, for the Preservation of the Adirondacks. ject as outlined in messages of ex-Governor holds \$341,000 worth of unnegotiable secu-Hughes and legislation advocated by the rities, largely stock in the Goldbar Lum-State Water Supply Commission, is for the ber Company, of Seattle. state to issue bonds to pay for the constate to again the struction of storage reservoirs, letting the bank, who is in Seattle, said it had been use of the waters thus stored to power customary for the institution to lend customary for the institution to lend

to the state. before water storage can be begun in the the bank was unable to obtain assistance state's forest preserves. One fathered by either in Seattle or in California. Assemblyman Merritt passed the last Legislature and will be presented for passage again this year. Its form was not at all satisfactory to some of the conservationists. It did not provide for flooding of state

At the same time the general legislation side was sentenced to pay \$200. Judge Blair urged by the Water Supply Commission placed the fine at \$500, but \$200 was rewas killed, largely owing to opposition by waterpower men in the northern part of It was reported that the twenty five the state voiced through Mr. Merritt. They demanded that when the bonds issued by may hold a caucus on the state to pay for building the storage it into the hands of a few citizens, at the -same time lodging in them a vastly valua-

Sliding Scale of Compensation.

One of the last power company charters granted by the state that of the Long Sault Development Company—provided for a sliding scale of compensation to the state concerns are not developing water power beland necessary to their schemes.

It is reported that legislation will be predomain on power development companies States Senate. of the land or consents of owners of that proportion of the tract which would be Kelly, and the latter feels that Mr. Van flooded. The theory would be that the Santvoord's chances for winning the cov-water power thus developed would be a eted prize are as good as, if not better "public convenience and a necessity." The water power interests for years have tioned.

desired such a law. Any such legislation granted only on condition that the recipi-ents abstain for the rest of their days tending to break down completely the state's control of its streams, and to lodge in a power monopoly the ability to exploit the general public through its demand for heat, power and light. Stories are going the rounds that the "power trust" already has options on most of the power sites in sirable, so it could go ahead as soon as any

> vorable legislation, Governor Dix's attitude-toward the question of state ownerwhip and control of storage reservoirs be-comes of the keenest interest. In his last

the three years and ten months he held office.

Probably the most interesting case of commuted sentence was that of Edward E. Grimmell, who was serving a ten-year sentence at Clinton Prison on two forgety, charges. Judge Collins B. Wheeler, of Buffalo, who sentence ir immell in 1985 told the Governo, he was surgical reveal of a department of the property of the state and under exclusive state control, and not be permitted to pass into private hands. As it is of great public importance that the water powers of the state should be developed in a comprehensive manner, and that these natural sources of industrial energy should not become the subject of an injurious private control, such development should be undertaken by the state whomever such action appears to be feasible and for the general interest. them without further proceedings. lible and for the general interest

GAUL SUES FOR DIVORCE BOY FLIES OVER Sequel of Alienation Proceedings Against New Jersey Mayor.

Hackensack, N. J., Jan. 6.-Papers !! divorce proceedings were served this after-noon upon Mrs. Lillian H. Gaul, of Ridge field Park, wife of Ray Gaul. Mayor William N. Smith, of Bogota, is named as

co-respondent. John S. Mackay, counsel for Mrs. Gaul, declared the divorce papers to be the most remarkable he had ever seen. "Not a specification or place of the alleged wrong doings is mentioned in the papers," said Mrs. Elosser also acknowledges that DIX A FACTOR IN PROBLEM Mr. Mackay. "Instead, every date between the suit was instituted, is listed. month is given without any day, citing an Grace, received; and that she had Question Gives Promise of Being act of misconduct between Mrs. Gaul and Mayor Smith at an unknown hotel in New York. It is a veritable dragnet."

Mrs. Gaul, who is attractive and a member of the choir of the First Reformed Church of Hackensack, denounces the action of her husband in bringing divorce proceedings. "I defy him or any detective

to recover \$50,000 for the alienation of What this means to the average citizen his wife's affections. Smith is manager of the American Paper Company's plant

STATESMEN WANT PASSES

Railroader Stormed with Demands for Transportation by Missourians.

[By Telegraph to The Tribune.] Jefferson City, Mo., Jan. 6.-F. G. Faulkner, sole legislative representative at Missouri's Legislature of all railroads, as a result of the anti-lobby law, was stormed by an army of pass seekers this afternoon when the Legislature adjourned over Sun-

"I could have disposed of a half bushel of passes without offending anybody," he said. "But I am not here for that purpose The no-pass system, which was inaugurated by Texas and Oklahoma railroads, would force the withdrawal of lobbyists from all other state capitals as soon as

cific Railway.

Brother of Princeton Football Captain Not Yet Arrested.

Exeter, N. H., Jan. 6.-Nora Nagle, twelve-year-old girl, who was shot yestertalk with Thomas Mott Osborne, his new day by William Hart, jr., a brother of Forest, Fish and Game Commissioner, on Captain "Eddie" Hart, of the Princeton football team, was resting comfortably at sage, he would say whether he was in The County Solicitor has been notified of the shooting, but as yet no action has been taken against the Hart boy.

The boy, who admits the shooting, is sixteen years old. He said that he did not mean to shoot the girl and that he did not aim at her. The girl, after being taken to the hospital, declared that young Hart pulled the trigger of his .22-calibre rifle three times, the weapon missing fire the

WHY ALASKA BANK FAILED

Seattle, Wash., Jan. 6.-A cable dispatch Alaska, says that t now in the hands of a receiver, are \$1,100, The state's policy in treatment of this sub-

Vice-President J. A. Jackson, of the plant owners on fifty-year contracts at such money to the gold miners, who repaid it rentals as would retire the bonds at the in the spring, and heretofore a Seattle end of that period and pay a net revenue bank had advanced the money to carry on the business of the Alaskan institution A constitutional amendment is required through the winter. This year, however,

WEALTHY VOTE SELLER FINED

Aged Ohio Farmer Worth \$50,000 Compelled to Pay \$200.

West Union, Ohio, Jan. 6.- The highest fine given a vote seller by Judge Blair was inflicted to-day, when William Grooms, who pleaded guilty to selling his vote for \$10, was sentenced to pay \$200. Judge Blair

owns four hundred acres of good farm land and is reputed to be worth \$50,000. He lives three miles from West Union. He refused to come to court and Deputy Sher-iff William Cooper went after him, Judge Blair was angry and said he ought to send him to the penitentiary. Grooms, who is eighty-three years old

CONFER ON VAN SANTVOORD

Murphy and John P. Kelly Discuss His Senate Candidacy-Kelly Encouraged.

Troy, N. Y., Jan. 6.-John P. Kelly, hairman of the Rensselaer County Demo ratic Committee, and Charles F. Murphy, the Tammany Hall leader, held a conference to-day relative to the candidacy of Seymour Van Santvoord, of this city, as successor to Chauncey M. Depew in the for the power developed. Many private United States Senate. Mr. Murphy was told that the Rensselaer County Democrais as well as prominent men in the party throughout the state were favorable to Mr. Van Santvoord's candidacy and sented conferring the power of eminent would like to see him elected to the United

The Tammany chieftain was nonmittal, but he listened attentively to Mr than, those of the other candidates men

CHIEF EXAMINER RESIGNS

Several Changes in State Insurance Department Announced. Albany, Jan. 6.-Charles Hughes, chief

examiner of casualty companies in the Northern New York which are at all de- State Insurance Department, has resigned to accept the position of manager of the Werkmen's Compensation, Service and Information Bureau, an organization lately tive and keenly interested in obtaining fa- formed by about twenty of the casualty ompanies of the United States transacting

companies of the United States transacting employers' liability business.

Arthur F. Sexton, chief examiner, here-tofore in charge of the fraternal companies, has been promoted to chief examiner of casualty companies and John E. Diefendorf, examiner, will become one of the four chief examiners in the department and have charge of fraternal and assessment companies. DIX ACTS ON WHITMAN CHARGES.

[By Telegraph to The Tribune.] Albany, Jan. 6.—Governor Dix turned over o-day to William Church Osborn, his counsel, a series of charges preferred by Sidney J. Cowen, a New York lawyer, against District Attorney Whitman. A copy of the charges and a summons will be served on Mr. Whitman, calling on him to make answer by January 18. When the answer is received the Governor will decide whether to have a formal hearing on the charges, refer them to a commissioner or dismiss

"Jimmy" Ward, Aged 16, Gives C. F. Bishop offered appropriate resolu Charleston Folks a Treat.

ALSO WINS A \$5,000 PRIZE

In a Curtiss Aeroplane He Flies Over the Harbor, Two Riv. ers and Part of Ocean.

an eighteen-year-old aviator, in a 24-horsepower Curtiss aeroplane made a daring was set aside yesterday by a decision of flight to-day across two rivers, the harbor Judge Hough in the United States Circuit ly making what is said to be a world's altithe strongest fertifications on the Atlantic complaint must be drawn. Coast. He covered a distance of about twenty-five miles in 54 minutes.

Leaving the aviation ground, Ward flew first to the navy yard, on Cooper River, form, and that a new complaint would be then down the river about five miles to the filed within a short time in which either city. Turning eastward, he crossed the the Stock Exchange or the individual mem-Cooper and Wando rivers and the harbor bers, as partners, would be named as deat a height of about one thousand feet. fendants. Reaching Sullivan's Island, where Fort "We believe that both should be defend-Moultrie is situated, he circled back at a ants in this suit, but the decision of Judge Moultrie is situated, he circled back at a hit in this suit, but the decision of Judge height of about two thousand feet, passing close to Castle Pinckney. Heading seaward again, he passed directly over Fort Sumter and swept for a distance of about a mile and a half over the waters of the open Atlantic. Turning, he flew above the liste of Palms and Sullivan's Island, and landed on the heads is front of Fort Month. landed on the beach in front of Fort Moultrie. He then flew back to the aviation

grounds. It was on his return trip from Fort Moultrie that Ward reached his highest altitude At a point directly above Mount Pleasant, a village on the edge of the harbor and opposite the city, he attained a height of 5,300 feet, as shown by his barograph. As Minister of Justice, and L. P. Brodeur, power and glided for a distance of a mile and a half, landing easily.

HONOR MEMORY OF FLYERS Service for "The Father of Avi-

John B. Moisant and Arch Hoxsey was held in the Engineers' Building last night. The principal address was delivered by TO FILE GALLAGHER APPEAL

"There have never been in any war, even Writ of Error May Keep Him Out of. where heroism made a nation's glory, braver men than our flying heroes of today, who are now subordinating the sky to man's use. One brave fellow after another J. Gallagher in the trial which ended with loses his life. Heroic Johnstone plunges the sentencing of Gallagher to twelve years to death, and his friendly competitor, Hox- imprisonment, asked the court stenogsey, all undaunted, climbs a screaming hur-ricane to a height of more than two miles. of the minutes of the trial for use in an

TORTS the world bows its naked head, and its charles H. WILSON TO MARRY porter this evening tifat she would be tears are not for the dead old year, but for its heroes dead." its heroes dead."

Allan A. Ryan, president of the Aero Club of America, and Robert J. Collier, chairman of the national council, also spoke. tions, and Major Samuel Reber told of the Belmont meet with moving pictures.

BANK NOTE COMPLAINT FAILS

Action Against Stock Exchange Must Be Different in Form.

The new complaint of the New York Bank Note Company, brought against Ransom H. Thomas, individually and as president of the New York Stock Exchange, the Charleston, S. C., Jan. 6.-"Jimmy" Ward, eleven hundred members of the exchange and the American Bank Note Company, and out over the Atlantic Ocean, incidental- Court, who ruled that if the complainant thought it had cause of action against certude record for low power machines. He tain individual members of the exchange won a prize of \$5,000 by circling over two of in this or any other court a wholly different

Alvin C. Cass, of Cass & Apfel, counsel for the New York Bank Note Company. said that the decision was expected in this

"We believe that both should be defend-

WATER ROUTES PROTECTION

Canadian Officials to Discuss International Navigation in Washington. Ottawa, Ont. Jan. 6.-While in Washing-

ton next week Alan Aylesworth, Canadian

the aviation field came into view Ward, at Minister of Marine, expect to take up with that time over Cooper River, shut off his the American authorities the question of reaching an agreement relative to protection of international navigation routes. Power enterprises have recently been actively seeking the control of water powers on international streams, and some of the enterprises are, in the opinion of the Canadian authorities, likely to interfere to some from all other state capitals as soon as inaugurated."

In the large procession of ticket buyers to the railroad station here to-day was "the father of aviation"; Jacques Faure, William H. Phelps, former famous legistive lobbyist here for the Missouri Palative lobbyist here for Octave Chanute, extent with navigation. The bill now before the American Congress to authorize a private company to construct power works across the St. Lawrence River at the Long Sault Rapids from Connectic lobbyist here for the American Congress to authorize a private company to construct power works across the St. Lawrence River at the Long Sault Rapids from Connectic lobbyist here for the American Congress to authorize a private company to construct power works across the St. Lawrence River at the Long Sault Rapids from Connectic lobbyist here for the Missouri Palative lobbyist here for Octave Chanute, and the Connectic lobbyist here f

State Prison for Several Months.

Alexander Simpson, who defended James Such heroism makes us readjust and raise our respect for human nature.

"When the old year died, and its last day's sun was falling in the Western sky, our brave Hoxsey and our brave Moisant, too, both fell, companions in its fall; and

Alfred G. Vanderbilt's Stable Manager when she returned from Europe some years ago, said she and married Wilson'n London, but Wilson repudlated her state. Engaged to Boston Woman.

[By Telegraph to The Tribune.] Boston, Jan. 5.—Miss Jane Delhanty, a well known East Boston young woman of considerable means, is to become the wife

DELAWARE DEADLOCK CONTINUES. Dover, Del., Jan. 6.-Both houses of the of Charles H. Wilson, the stable manager for Alfred G. Vanderbilt. The date of the marriage is being guarded with great secrecy, although Miss Delhanty told a re-



The January Clearance Sale of High Grade Suits & Overcoats

FOR MEN AND YOUNG MEN

Formerly \$35.00 & \$40.00 At \$24.50 Formerly \$28.00 & \$30.00 At \$21.50 Formerly \$25.00 At \$18.50 . .

Radical and Conservative models for Men and Young Men, in sizes 32 to 44.

Formerly \$20.00 & \$22.00

fabrics in black, blue, gray

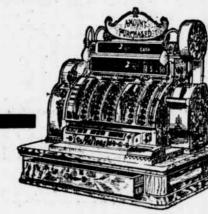
At \$15.50

265 Broadway, near Chambers St.

MESSRS. CRICHTON BROS. of London have the honour to announce that it has pleased King George V. to issue a Royal Warrant appointing them Goldsmiths and Silversmiths to His Majesty.

NEW YORK, 636 Fifth Avenue.

LONDON, 22 Old Bond Street.



"Hundred Point Club Special"

The Hundred Per Cent. Route

The National Cash Register Co. (one of the greatest industrial institutions in the world) selected for its "HUNDRED POINT CLUB SPECIAL" to Dayton, Ohio, an exact duplicate of the superb

Southwestern Limited

New York Central Lines

This Special Train, carrying the N. C. R.'s greatest salesmen, will leave New York at 2.45 p.m. today. After a perfect night's sleep over the "Water Level Route" these salesmen will arrive at Dayton rested and fit to take up the important work of their annual convention.

THE SOUTHWESTERN LIMITED.

Arrives Dayton 6.05 a.m. Leaves New York 2.45 p.m. Arrives Cincinnati 7.27 a.m. Leaves Albany 5.39 p.m. Arrives Indianapolis 7.55 a.m. Leaves Syracuse 8.26 p.m. Leaves Rochester 9.50 p.m. Arrives St. Louis 1.45 p.m.

